

Atty. Docket No. SP-0649.1 (EVE01 P-565)

OfficialIN THE UNITED STATES PATENT AND TRADEMARK OFFICE **FAX RECEIVED**

MAY 11 2001

GROUP 1700

Art Unit : 1745
Examiner : C. Chaney
Applicant : John C. Nardi
Appln. No. : 09/213,544
Filing Date : December 17, 1998
For : ALKALINE CELL HAVING A CATHODE INCORPORATING
ENHANCED GRAPHITE

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Dear Sir:

AMENDMENT AFTER APPEAL

This is an Amendment filed after Appeal to amend the above-identified application to correct the dependency of claims 15 and 20.

In the Claims:

Please amend claims 15 and 20 as follows.

15. (amended) The electrochemical cell as defined in claim 11, wherein said expanded graphite particles have an average particle size in the range of 17 to 32 micrometers and a d_{90} value in the range of 40 to 85 micrometers.

20. (amended) The electrochemical cell as defined in claim 11, wherein said expanded graphite particles have a kerosene absorption value in the range of 2.7 to 3.1 ml/g.

VIA FACSIMILE: 703/305-3599

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Dear Sir:

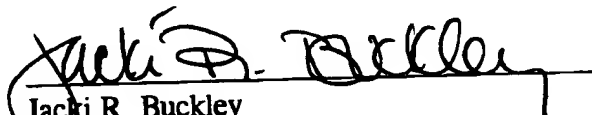
CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below:

1. Claims Amended Form (2 pages); and
2. Amendment After Appeal (3 pages).

YOU SHOULD RECEIVE A TOTAL OF 6 PAGES (including this page).

May 11, 2001.
Date


Jacki R. Buckley
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KTG/jrb

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 Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an Amendment After Appeal in the above-identified application.

Any fee for additional claims has been calculated as shown below:

CLAIMS AS AMENDED

	Col. 1		Col. 2	Col. 3	Small Entity		Other Than A Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total Claims	* 20	Minus	** 21	= 0	x \$9	\$	x \$ 18	\$ 0
Independent Claims	* 2	Minus	*** 3	= 0	x \$40	\$	x \$ 80	\$ 0
First Presentation of Multiple Dependent Claims \$135						\$	x \$270	\$ 0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$		\$ 0


Applicant : John C. Nardi
Appln. No. : 09/213,544
Page : 2

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3
** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.
The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

1. _____ Small entity status of this application 37 CFR §§1.9 and 1.27 has been established by a verified statement previously submitted or is enclosed.
2. x No additional fee is required.
3. _____ A check in the amount of \$ _____ is attached.
4. x Please charge any additional fees or credit overpayment to Deposit Account No. 05 1325.

PRICE, HENEVELD, COOPER,
DEWITT & LITTON

May 11, 2001.
Date


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Grand Rapids, Michigan 49501
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KTG/jrb